

DRAFT

MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

15 OCTOBER 2002

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Florence F. Gatten, Belvin J. Jessup, Yvonne J. Johnson, Robert V. Perkins, Thomas C. Phillips and Donald R. Vaughan. Absent: None. Also present were J. Edward Kitchen, City Manager; Linda A. Miles, City Attorney; and Susan E. Crotts, Deputy City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag led by Boy Scouts and Cub Scouts from troops 404 and 316. The Mayor recognized a large number of Boy Scouts in attendance at the meeting.

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The City Manager recognized Kim Foster, employee in the Engineering and Inspections Department, who served as courier for the meeting.

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Mayor Holliday outlined the procedure for conduct of the meeting.

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The Mayor advised that requests had been made to continue agenda item numbers 6 and 9.

The City Manager stated that the postponement of item number 6 would provide Council with an opportunity to review this item at the next briefing.

The Mayor asked if anyone present wished to speak to either request to continue these two items.

There being no one present wishing to be heard, Councilmember Johnson moved to continue agenda item number 6, an ordinance amending Chapter 30 of the Greensboro Code of Ordinances with respect to Zoning, Planning and Development to amend Section 30-5-4.4. Landscaping Design and Maintenance Standards, and Section 30-5-4.5 Flexibility Standards, to allow water wise plant species and planting techniques to December 3, 2002 without further advertising. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of Council.

Councilmember Gatten thereupon moved that item 9, an ordinance rezoning from RS-15 Residential Single Family to Conditional Use- RM-8 Residential Multifamily with uses limited to residential multifamily (attached or detached) units for sale with various conditions, for property located on the south side of Ballinger Road between Rustic Road and New Garden Road, be continued to December 17, 2002 without further advertising. The motion was seconded by Councilmember Phillips and unanimously adopted by voice vote of Council.

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Pat Vreeland, residing at 4 Parkmont Court, spoke on behalf of KIDS VOTING, a non-partisan, non-profit educational program, dedicated to fighting voter apathy by keeping youth informed about voting and allowing their participation in the process. She discussed details of the participation of parents, children and community volunteers and to the benefits of KIDS VOTING programs.

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The City Manager advised that due to recent rain and conservation efforts, lake levels were sufficient to move water restrictions back to level 2A of the Emergency Water Conservation and Restriction Ordinance.

Allan Williams, Water Resources Director, noted that this change permitted irrigation by hose or sprinkler on residents' garbage collection day or on Wednesdays for businesses and residents without garbage collection services and car washing at home. He stated that level 2A was effective immediately. Mr. Williams spoke to current lake levels, weather patterns and the outstanding efforts of citizens and businesses that had resulted in keeping water usage well below 30 million gallons a day. He gave thanks and credit to citizens for their participation in the conservation campaign and their outstanding management of the water supply.

City Manager Kitchen provided information with respect to sources for lake level and water consumption information.

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance rezoning from RS-9 Residential Single Family to Conditional Use-General Office Moderate intensity for church addition and various church related uses for property located on the south side of Bothwell Street between Hannaford Road and Willow Road. He stated this matter was being heard on appeal filed by Bill Gwinn on behalf of Power House of Deliverance Church after receiving a vote of 5-4 by the Zoning Commission to recommend denial of the rezoning.

The Mayor administered the oath to those who wished to speak to this matter.

C. Thomas Martin, Planning Director, outlined the proposal and presented a land use map and slides of the property and surrounding area. He provided the following staff presentation:

REQUEST – ITEM 7

This request is to rezone property from RS-9 Residential Single Family to Conditional Use – General Office Moderate Intensity.

The RS-9 District is primarily intended to accommodate single family detached dwellings at a density of 4.0 units per acre or less.

The General Office Moderate Intensity District is primarily intended to accommodate moderate intensity office and institutional uses, moderate density residential uses at 12.0 units per acre or less, and supporting service uses.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) Uses: Church addition, church-related school, day care center, rehabilitation and counseling services, community recreation center, administration offices, independent living housing, townhomes, café and related accessory uses.
- 2) Construct and maintain an opaque privacy fence along lines adjoining residentially zoned property. Install and maintain landscaping on exterior of fence.
- 3) Preserve any existing perimeter trees to extent possible adjoining residentially zoned property.
- 4) Trash containers shall be screened.
- 5) Exterior lighting shall be directed away from adjoining properties.
- 6) Maximum number of townhomes shall be no more than 15.
- 7) Maximum number of group homes shall be no more than 4.

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 10.8 acres and is located on the south side of Bothwell Street between Hannaford Road and Willow Road.

	<u>Zoning</u>	<u>Land Use</u>
Subject Property	RS-9	Power House of Deliverance Church
North	RS-7	5 single family dwellings
East	RS-7	8 single family dwellings
South	LI	Vacant land
West	RS-9	2 single family dwellings

Mr. Martin stated the Planning Department recommended approval of the request and the Zoning Commission had voted 5-4 to recommend denial of the request.

The following speakers spoke in favor of the request:

Bill Gwinn, architect with offices located at 200 South Elm Street, Suite 401, presented an aerial photograph of the property to show areas of wood buffer and adjacent property zoned for light industrial use. Mr. Gwinn spoke to details of the proposed development in terms of phases and specific uses planned for various facilities and advised that findings of a related traffic study indicated that traffic impact on the neighborhood would be minor.

William Washington stated he was a Bishop from Power of Deliverance Church, located at 1800 Bothwell Street. He spoke to his goals for the church with respect to the development proposal and noted what services the proposed development would provide to the community. Mr. Washington stated that efforts to bring the existing church day care center to code had failed; spoke to recent efforts to communicate with area residents; and noted past incidences of crime in the area. Mr. Washington shared his opinion with respect to neighboring property owners' support of the church's proposal.

Lacey Gregory, residing at 1720 Hannaford Road, stated he was a member of the Powerhouse of Deliverance Church; spoke to the support he had received from the church; and provided accounts of his experience with crime in the neighborhood; and shared his opinion that the proposal would be beneficial.

Shirley Robinson, residing at 1727 Dunbar Street, spoke to reasons she supported the Church's plans for expansion.

Travis Moore, residing at 1849 Muncey Lane, stated he was a student at North Carolina A&T University and offered his opinions with respect to benefits the proposal could provide to the neighborhood residents and NC A&T graduates.

The following persons spoke in opposition to the proposal:

Robert Hayes, residing at 1722 Pichard Street, spoke to attempts to rezone this neighborhood in 1976. He expressed concern with respect to the potential negative impact on property values if the current proposal were approved; shared his opinion that the zoning change was not necessary to provide the services the church wished to provide; and stated that schools were already present in this area. Mr. Hayes submitted information and a petition opposing the proposal. (The petition is filed in Exhibit Drawer N, Exhibit Number 42 and is hereby referred to and made a part of these minutes.)

Vernon Copeland, residing at 1711 Dunbar Street, expressed concerns with respect to a potential negative impact the rezoning would have on residents including devaluation of their property and possible unknown future development. He requested Council to vote against the proposal.

Willie J. Pea, residing at 1722 Dunbar Street spoke to parking and traffic congestion in the area of the church. He expressed concern that the proposal would increase congestion and overcrowded parking on the street.

Bonita Fleming, residing at 1723 Dunbar Street, expressed her opinion that this proposal would constitute spot zoning in the community; noted that the older neighborhood was comprised of single-family homes and narrow streets that had limited capability for handling traffic; and stated that potential flooding of Buffalo Creek was of concern. She shared her personal opinions that the community population trend toward having less children, the church's goals and their existing location were not right for the neighborhood and disputed information from the traffic study cited earlier by Mr. Gwinn.

Arthur Cruz, residing at 1630 Pichard Street, expressed his opposition to the addition of rental property, group homes, barbershops and cafes in the neighborhood. He shared his personal opinions that rezoning was not necessary for the church to carry out its ministry activities and that Bothwell Street was currently overloaded with traffic.

Charles Robinson, residing at 2313 Bothwell Street, stated he was not opposed to the church's goals if they were done in one building with the addition of a family life center.

Hazel Rankin, residing at 2323 Poole Place, spoke to her observations of development of the neighborhood since 1949. She noted that existing traffic made it difficult to drive onto the street from her mother's property, located at the corner of Pichard Street and Bothwell Street. She expressed concern for senior citizens abilities to walk in the neighborhood due to traffic.

The following speakers spoke in rebuttal in favor of the proposed rezoning:

Mr. Gwinn stated that while all planned phases could be put in one facility, in his opinion, the campus plan was better. He spoke to his perception of attendance at a different church in the area and to the two meetings that he had participated in with area residents. He suggested this plan would decrease the potential for flooding by improving the flow of water through Buffalo Creek.

Mr. Washington offered his opinions with respect to an undesirable appearance of a conglomerate development and the benefits of a campus development with the existing land grade. He spoke to the size of the proposed barber shop and what he considered inevitable traffic in the future.

The following speakers spoke in rebuttal in opposition to the proposed rezoning.

Liz Dixon, residing at 1615 Willow Road, spoke to the impact of existing traffic on her street and the difficulty she had in cleaning trash in the street in front of her home due to the traffic volume. She requested Council to deny the rezoning request.

Mr. Hayes noted that the contractor had appealed the decision of the Zoning Commission to deny this request and suggested that Council consider the contractor's potential to benefit from the proposal. He stated neighbors wished to have a peaceful neighborhood.

Mr. Robinson expressed his disagreement with Mr. Gwinn's earlier comments regarding the activity level of a nearby church.

Councilmember Vaughan moved that the public hearing be closed. The motion was seconded by Councilmember Gatten and unanimously adopted by voice vote of Council.

Mr. Martin provided the following staff recommendation:

Item 7 – Bothwell Street and Willow Road

The Planning Department recommends that this request be approved.

Approval of this request will allow the church to establish a planned, multi-use complex to further its ministry now and in the future.

Since general office zoning permits residential and church uses, but also allows for office use of the property, this proposed conditional use rezoning offers the maximum flexibility and range of uses for their development of the property.

With Light Industrial zoning and Interstate 40/85 located to the south, and single family zoning located on all other sides, staff feels that this rezoning proposal functions as a transitional zone between the less intense and more intense land uses.

In this regard, the church development itself will function as a buffer to the single family neighborhoods.

In response to questions, the City Attorney advised that the applicant could not amend their proposal without filing a new rezoning request. Mr. Martin confirmed that the church could conduct only some of the proposed activities under one roof with the existing zoning and that they could build a parking deck without rezoning the property.

Jim Westmoreland, Director of the Transportation Department, stated that traffic issues were not identified during the plan review process.

Councilmembers Carmany, Gatten, Perkins and Phillips offered the following reasons they would support the plan, including that the campus would look better than one building, infill development could occur with a small number of units, and the proposed development would make a good transition between the single family homes in the neighborhood and the light industrial district adjacent to the church property.

Following additional discussion, Councilmember Jessup moved that this matter be continued providing that the church and community would meet. The City Attorney advised that the motion could suggest, not require, the meeting. The motion died for lack of a second.

The Mayor and Councilmember Johnson and Councilmember Vaughan expressed concern with potential impact of the proposed commercial establishments on residents in the area.

Councilmember Phillips moved adoption of the ordinance rezoning from RS-9 Residential Single Family to Conditional Use-General Office Moderate intensity for church addition and various church related uses for property located on the south side of Bothwell Street between Hannaford Road and Willow Road based on the following findings of fact:

1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the use of the property for a church and related uses.

2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because there is an existing church currently on the property.

3) The location and character of the development in accordance with the proposed conditions will be in harmony with the are in which it is to be located and in general conformity with the plan of development of the city and its environs because this rezoning will create a transitional zone between the less intense and more intense land uses to the north and south respectively, and because the church development itself will function as a buffer to the single family neighborhoods.

The motion was seconded by Councilmember Gatten; the ordinance received the following roll call vote: Ayes: Carmany, Gatten, Jessup, Perkins, Phillips. Noes: Burroughs-White, Holliday, Johnson and Vaughan.

The Mayor stated that the ordinance had received a vote of 5-4 in favor and would be heard for a SECOND READING at the November 19, 2002 Council meeting.

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The Mayor stated that this was the time and place set for a public hearing to consider an ordinance

rezoning from Conditional Use – Light Industrial to Conditional Use- Light Industrial with use limited to mini-storage office and storage buildings and accessory uses and various other conditions, for property located on the east side of Randleman Road between Corliss Street and Idolbrook Drive. He stated this matter was being heard on appeal filed by Stephen E. Benson after receiving a vote of 9-0 by the Zoning Commission to recommend denial of the rezoning.

Mayor Holliday administered the oath to those present who wished to speak to this matter.

Mr. Martin presented a land use map and slides of the property and surrounding area. He provided the following staff presentation:

REQUEST – ITEM 8

This request is to rezone property from Conditional Use – Light Industrial to Conditional Use – Light Industrial.

The Light Industrial District is primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial/service activities.

The existing CU-LI District contains the same conditions listed on the agenda and in the copy of the staff presentation with the exception that no outside storage is permitted.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) Use limited to mini-storage office and storage buildings, and accessory uses.
- 2) Access limited to 2 curb cuts on Randleman Road for ingress and egress. Curb cuts no closer than 200' from Corliss Street and Idolbrook Drive. Access not permitted on Corliss Street and Idolbrook Drive.
- 3) Maximum building coverage shall be 26%.
- 4) The façade of storage buildings closest to Randleman Road shall not be interrupted by doors or entrances; neither shall storage building doors open to Corliss Street and Idolbrook Drive. The facility office doors shall open to Randleman Road.
- 5) Maximum building height shall not exceed 20' and shall not exceed 1 story.
- 6) Storage of hazardous, toxic or explosive substances shall be prohibited.
- 7) Hours of operation shall be Mon. – Sat. 8:30 a.m. – 5:30 p.m.
- 8) No caretaker dwelling unit shall be included.
- 9) No outside storage shall be permitted if visible from Randleman Rd., Corliss St., or Idolbrook Dr or from any adjacent residentially zoned property.
- 10) All buildings shall be of cinder block construction with pitched roofs. There shall be no metal buildings nor chain link fencing.
- 11) Fence to be of stucco and wrought iron construction. 2'8" stucco knee wall with wrought iron above to 8'. Stucco piers at approximately 12' on center. Decorative fence is located on both Corliss and Idolbrook and between buildings to secure the park. All storage buildings facing Randleman Road, with exception of office building shall be solid back (no doors) white stucco block walls.
- 12) All utility lines to be underground on the site.
- 13) All street trees are to be located at 50' on center along all three streets. Shrubs shall be at 6' on center.
- 14) There shall be a minimum of 30% landscape area on the site.
- 15) Dedicate to the city of Greensboro, as Drainageway and Open Space, a minimum width of 100' measured from centerline of stream along eastern side of property.

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 14.25 acres and is located on the east side of Randleman Road between Corliss Street and Idolbrook Drive.

	<u>Zoning</u>	<u>Land Use</u>
Subject Property	CU-LI	Self storage warehouse facility

North	GB LI	ABC store Light industrial/office buildings
East	RS-9	Scattered single family dwellings
South	RS-12	Approximately 7 single family dwellings
West	RS-9 RM-12	Approximately 5 single family dwellings Apple Ridge Condos

Mr. Martin stated the Zoning Commission had voted 9 to 0 to recommend denial of the request and the Planning Department recommended denial of the request as originally submitted, but could recommend in favor of the request if certain conditions were added.

Steven Benson, residing at 10833 Monroe Road in Matthews, North Carolina, stated he was president of the company, Morning Star, which owned the storage facility. Mr. Benson noted that he had successfully contacted a majority of neighboring property owners who had opposed the proposal at the Zoning Commission meeting to develop conditions that would satisfy their concerns. He presented a map to illustrate the proposed addition of screening of the existing buildings and proposed parking storage area. (A copy of the map is filed in Exhibit Drawer N, Exhibit Number 42). Mr. Benson advised that the parking storage area would be limited to boats, recreational vehicles and wheeled vehicles. He requested council to amend the proposed conditions to include two new conditions: 1) add opaque and Leland cypress screening spaced 5' on center around existing buildings and outside parking area (on Idolbrook Road start at where the dumpster is, to the left of the parking to the fence line along the Idolbrook Road boundary).

Councilmember Vaughan moved that the following conditions be added to the ordinance:

- 1) Add opaque and Leland cypress screening spaced 5' on center around existing buildings and outside parking area (on Idolbrook Road start at where the dumpster is, to the left of the parking to the fence line along the Idolbrook Road boundary).
- 2) Outside storage limited to boats, recreational vehicles and wheeled vehicles.

The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of Council.

Mr. Benson spoke to his company's history in various business locations for efforts and awards for aesthetic appearance and presented slides of the subject property. He stated he possessed a quasi-petition for Council's consideration. After he informed the City Attorney the petition was not certified and that he had not personally collected the signatures on this document, the City Attorney advised that this document could not be considered. Mr. Benson advised that his general manager was present in the Chamber and that she had collected the signatures.

After the Mayor administered the oath, Vanessa Davis advised that she had witnessed the signing of signatures on the document, the City Attorney advised that this document could be reviewed.

The Mayor asked if anyone wished to speak in opposition to the ordinance. No one wished to be heard.

Mr. Martin provided the following staff recommendation:

Item 8 – Randleman Road & Corliss Street

The Planning Department recommends that this request be approved with the additional clarification requiring outside storage of vehicles only to be screened from adjacent single family residences.

The approval of Conditional Use – Light Industrial for this tract came from City Council in November 1996.

The initial set of conditions contained a provision that no outside storage would be permitted.

That is the only condition that is being modified from what the City Council initially approved.

As long as any outside storage of vehicles is screened from Randleman Road, Corliss Street and Idolbrook Drive, as well as the adjacent residences, staff feels that this is a reasonable adjustment to the initial condition which will allow the self-storage warehouse facility more flexible use of their property without impacting the public or the surrounding neighborhood.

Following brief discussion, the Mayor strongly encouraged the company to go beyond the conditions of the ordinance to do everything in their power to fit in well with the neighborhood.

Councilmember Johnson moved adoption of the ordinance as amended based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the existing or proposed use of the property.
- 2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because this facility has existed on this property since 1996 and only one condition is being modified from what was initially approved.
- 3) The location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because as long as any outside storage is screened from the public streets and adjacent residences, this will allow more flexible use of the property without impacting the public or the neighborhood.

The motion was seconded by Councilmember Vaughan. The ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins, Phillips and Vaughan. Noes: None.

02-193 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF CONDITIONAL USE PERMIT

EAST SIDE OF RANDLEMAN ROAD BETWEEN CORLISS STREET AND IDOLBROOK DRIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from Conditional Use – Light Industrial to Conditional Use – Light Industrial (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the northern right-of-way line of Idolbrook Drive, said point being the southwestern corner of Dixie A. Hull as recorded in Deed Book 3481, Page 951 in the Office of the Guilford County Register of Deeds, said point also being a corner of Lot 2 as shown in Plat Book 31, Page 45; thence with the northern right-of-way line of Idolbrook Drive the following three courses and distances: (1) N85°34'01"W 297.27 feet to a point, (2) N26°30'50"W 32.47 feet to a point, and (3) N17°49'14"W 6.67 feet to a point in the eastern right-of-way line of Randleman Road; thence with said eastern right-of-way line the following two courses and distances: (1) with the arc of curve to the left having a radius of 1208.90 feet, an arc distance of 265.31 feet, said curve being subtended by a chord having a bearing and distance of N19°27'14"E 264.78 feet to a point, and (2) N13°10'00"E 630.15 feet to a point located in the southern right-of-way line of Corliss Street; thence with said southern right-of-way line the following two courses and distances: (1) with the arc of curve to the right having a radius of 20.00 feet, an arc distance of 28.42 feet, said curve being subtended by a chord having a bearing and distance of N53°52'10"E 26.09 feet to a point, and (2) S85°25'41"E 516.27 feet to a point in the northwestern corner of an area shown as drainageway and open space in Plat Book 125, Page 82; thence with the western boundary of said drainageway and open space property the following thirteen courses and distances: (1) S23°58'58"W 19.39 feet to a point, (2)

S01 °44'08"E 80.90 feet to a point, (3) S25 °54'17"E 33.36 feet to a point, (4) S03 °43'57"W 115.38 feet to a point, (5) S11 °18'29"W 51.84 feet to a point, (6) S6 °19'57"W 63.58 feet to a point, (7) S01 °44'52"W 65.04 feet to a point, (8) S30 °51'34"W 64.55 feet to a point, (9) S45 °14'09"W 66.61 feet to a point, (10) S03 °38'45"W 72.48 feet to a point, (11) S20 °25'50"E 86.58 feet to a point, (12) S50 °52'46"E 77.12 feet to a point, and (13) S31 °42'54"E 81.36 feet to a point in the northern line of property owned (now or formerly) by Strether K. Cox as recorded in Deed Book 3657, Page 1614, also shown as a proposed road and park in Plat Book 31, Page 45; thence N85 °33'39"W 427.73 feet to a point; thence S04 °25'59"W 161.00 feet to the point and place of BEGINNING, containing approximately 11.0713 acres as shown on a survey prepared by R.B. Pharr & Associates, P.A. dated November 2, 2001, last revised December 11, 2001.

Section 2. That the issuance of a Conditional Use Permit in accordance with the above-mentioned change in zoning classification is hereby authorized subject to the following use limitations and conditions:

- 1) Use limited to mini-storage office and storage buildings, and accessory uses.
- 2) Access limited to 2 curb cuts on Randleman Road for ingress and egress. Curb cuts no closer than 200' from Corliss Street and Idolbrook Drive. Access not permitted on Corliss Street and Idolbrook Drive.
- 3) Maximum building coverage shall be 26%.
- 4) The façade of storage buildings closest to Randleman Road shall not be interrupted by doors or entrances; neither shall storage building doors open to Corliss Street and Idolbrook Drive. The facility office doors shall open to Randleman Road.
- 5) Maximum building height shall not exceed 20' and shall not exceed 1 story.
- 6) Storage of hazardous, toxic or explosive substances shall be prohibited.
- 7) Hours of operation shall be Mon. – Sat. 8:30 a.m. – 5:30 p.m.
- 8) No caretaker dwelling unit shall be included.
- 9) No outside storage shall be permitted if visible from Randleman Rd., Corliss St., or Idolbrook Dr.
- 10) All buildings shall be of cinder block construction with pitched roofs. There shall be no metal buildings nor chain link fencing.
- 11) Fence to be of stucco and wrought iron construction. 2'8" stucco knee wall with wrought iron above to 8'. Stucco piers at approximately 12' on center. Decorative fence is located on both Corliss and Idolbrook and between buildings to secure the park. All storage buildings facing Randleman Road, with exception of office building shall be solid back (no doors) white stucco block walls.
- 12) All utility lines to be underground on the site.
- 13) All street trees are to be located at 50' on center along all three streets. Shrubs shall be at 6' on center.
- 14) There shall be a minimum of 30% landscape area on the site.
- 15) Dedicate to the city of Greensboro, as Drainageway and Open Space, a minimum width of 100' measured from centerline of stream along eastern side of property.
- 16) Add opaque and Leland cypress screening spaced 5' on center around existing buildings and outside parking area (on Idolbrook Road start at where the dumpster is, to the left of the parking to the fence line along the Idolbrook Road boundary).
- 17) Outside storage limited to boats, recreational vehicles and wheeled vehicles.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to any Conditional Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

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Moving to the Consent Agenda, Councilmember Vaughan moved adoption of the ordinances, resolutions and motion on the Consent Agenda. The motion was seconded by Councilmember Phillips; the Consent Agenda was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Gatten, Holliday, Jessup, Johnson, Perkins,

Phillips and Vaughan. Noes: None.

02-194 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET FOR FY 2002-2003 PARKS AND RECREATION HEALTHY CAROLINIANS 2010 PROGRAM

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the State, Federal and Other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5074-01.5237	Program Supplies	\$ 1,610
220-5074-01.5431	In-House Printing	<u>400</u>
Total		\$ 2,010

and, that this increase be financed by increasing the following State, Federal and Other Grants Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5074-01.8620	Donations & Private Contributions	\$ <u>2,010</u>
Total		\$ 2,010

(Signed) Donald R. Vaughan

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170-02 RESOLUTION AUTHORIZING INSTALLATION OF WATER LINE AND A SEWER LINE ALONG YANCEYVILLE ROAD UNDER AGREEMENT BETWEEN CITY OF GREENSBORO AND GUILFORD COUNTY

WHEREAS, Guilford County has recently authorized the installation of a 12-inch water line along Yanceyville Road from Peach Orchard Drive to the north and an 8-inch sewer line from the existing sewer outfall near the Peach Orchard Lift Station to Yanceyville Road to serve a single family residential subdivision owned by Carrolland Corporation, in accordance with the Consolidated Water and Sewer Agreement between the County and the City;

WHEREAS, the project will be privately financed by the owner;

WHEREAS, in the opinion of the City Council, the best interest of the City will be served by the construction of the water and sewer lines in accordance with said agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the construction of the above mentioned water and sewer lines in accordance with the agreement between the City of Greensboro and Guilford County is hereby authorized; provided that there shall be no assessments levied.

(Signed) Donald R. Vaughan

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171-02 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2001-07 WITH YATES CONSTRUCTION COMPANY FOR ROADWAY AND INTERSECTION IMPROVEMENTS

WHEREAS, Contract No. 2001-07 with Yates Construction Company provides for various roadway and intersection improvements throughout the City;

WHEREAS, due to special conditions of the Contract, the contract has a 50% extension clause which allows the City to add projects as needed, thereby necessitating a change order in the contract in the amount of \$43,437.50.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Yates Construction Company for various roadway and intersection improvements is hereby authorized at a total cost of \$43,437.50 payment of said additional amount to be made from Account No. 401-6001-01.6014 CBR.003.

(Signed) Donald R. Vaughan

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172-02 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2001-07 WITH YATES CONSTRUCTION COMPANY FOR INTERSECTION IMPROVEMENTS

WHEREAS, Contract No. 2001-07 with Yates Construction Company provides for sidewalk improvements on various City streets;

WHEREAS, due to a 50% extension clause, several sidewalk projects have been added to this contract, thereby necessitating a change order in the contract in the amount of \$47,480.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Yates Construction Company for sidewalk improvements is hereby authorized at a total cost of \$47,480.00, payment of said additional amount to be made from Account No. 402-6002-01.6015 CBR.001.

(Signed) Donald R. Vaughan

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173-02 RESOLUTION CALLING A PUBLIC HEARING FOR NOVEMBER 4, 2002 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED ON THE SOUTH SIDE OF OLD LAKE JEANETTE ROAD – 0.81 ACRES

WHEREAS, the owner of all the hereinafter described property, which is contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 15th day of October, 2002, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON THE SOUTH SIDE OF OLD LAKE JEANETTE ROAD – 0.81 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at an existing iron pin in the existing Greensboro corporate limits (as of September 30, 2002), said point being in the southern margin of the right-of-way of Old Lake Jeanette Road, said iron pin being located 561.24 feet from an existing iron pin located at the point of intersection of the southern margin of the right-of-way of Old Lake Jeanette Road and the western margin of the right-of-way of N. Church Street; THENCE WITH THE EXISTING GREENSBORO CITY LIMITS the following courses and distances: along

the southern margin of the right-of-way of Old Lake Jeanette Road N 68°11'34" W 130.05 feet to an existing iron pin, S 21°53'09" West 270.07 feet to an existing iron pin, S68°11'34" E 130.05 feet to an existing iron pin, and N 21°53'09" E 270.07 feet to the point and place of BEGINNING, and containing 0.81 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after January 31, 2003, the liability for municipal taxes for the 2002-2003 fiscal year shall be prorated on the basis of 5/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2003. Municipal ad valorem taxes for the 2003-2004 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after January 31, 2003.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That November 4, 2002, at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than October 25, 2002.

(Signed) Donald R. Vaughan

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174-02 RESOLUTION CALLING A PUBLIC HEARING FOR NOVEMBER 4, 2002 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED ON THE SOUTH SIDE OF OLD LAKE JEANETTE ROAD AND WEST OF NORTH CHURCH STREET – 4.73 ACRES

WHEREAS, the owner of all the hereinafter described property, which is contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 15th day of October, 2002, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON THE SOUTH SIDE OF OLD LAKE JEANETTE ROAD AND WEST OF NORTH CHURCH STREET – 4.73 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro corporate limits (as of September 30, 2002), said point being located in the southern line of property now or formerly owned by Canterbury School as recorded in

Deed Book 4441, Page 241 in the Office of the Register of Deeds of Guilford County and said point being located S 78° 13' 37" W 200.04 feet from a point in the western margin of the right-of-way of North Church Street (S.R. # 1001) and the southeastern corner of the Canterbury School property, THENCE WITH THE EXISTING CITY LIMITS in a southerly direction approximately 221.21 feet to a point in the northeastern line of property now or formerly owned by Gwendolyn McAdoo Jones as recorded in Deed Book 1899, Page 289; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with the northern line of Jones N 88° 04' 05" W 90.32 feet to a point; thence with Jones western line S 01° 56' 50" E 121.45 feet to a point in the northern line of property now or formerly owned by Timothy A. McAdoo as recorded in Deed Book 3854, Page 2157; thence with Timothy A. McAdoo's northern line N 88° 34' 50" W 913.72 feet to a point in the existing city limits, said point being the southeastern corner of property now or formerly owned by Canterbury School as recorded in Deed Book 4441, Page 241; THENCE WITH THE EXISTING CITY LIMITS with Canterbury School's line N 19° 10' 49" E 217.75 feet to a point; thence continuing with the southern line of Canterbury School S 89° 33' 25" E 833.88 feet to a point; thence continuing with a line of Canterbury School N 02° 01' 51" W 99.57 feet to a point; thence continuing with a line of Canterbury School N 78° 13' 37" 75.94 feet to the point and place of BEGINNING, containing 4.73 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after January 31, 2003, the liability for municipal taxes for the 2002-2003 fiscal year shall be prorated on the basis of 5/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2003. Municipal ad valorem taxes for the 2003-2004 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after January 31, 2003.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That November 4, 2002, at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than October 25, 2002.

(Signed) Donald R. Vaughan

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175-02 RESOLUTION CALLING A PUBLIC HEARING FOR NOVEMBER 4, 2002 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED AT 1932 FLEMING ROAD -- 53.84 ACRES

WHEREAS, the owner of all the hereinafter described property, which is contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 15th day of October, 2002, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED AT 1932 FLEMING ROAD – 53.84 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing city limits (as of September 30, 2002) of the City of Greensboro, said point being in the western right-of-way line of Fleming Road; THENCE DEPARTING FROM THE EXISTING CITY LIMITS in a northerly direction along the western right-of-way line of Fleming Road approximately 1,150 feet to the intersection of said right-of-way line and the westward projection of the northern line of Fellowship Hall, Inc.; thence N 73° 26' 35" E approximately 1,200 feet along Fellowship Hall's northern line to a point in the existing city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS the following courses and distances: in a southeasterly direction with a stream approximately 1,974 feet to a point in the center of Horsepen Creek; thence in a southerly direction with Horsepen Creek approximately 882 feet to a point at the corner of the City of Greensboro property as described at Deed Book 4585, Page 2197 in the Office of the Register of Deeds of Guilford County; thence with the northern lines of Friendly Lakes, Section 2, as recorded in Plat Book 36, Page 30, and Friendly Lakes, Section 1, as recorded in Plat Book 22, Page 12, and the westward projection thereof, N 72° 51' 20" W approximately 1,900 feet to the point and place of BEGINNING, and containing approximately 53.84 acres, of which 52.217 acres lie outside of street right-of-way.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after January 31, 2003, the liability for municipal taxes for the 2002-2003 fiscal year shall be prorated on the basis of 5/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2003. Municipal ad valorem taxes for the 2003-2004 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after January 31, 2003.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That November 4, 2002 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than October 25, 2002.

(Signed) Donald R. Vaughan

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176-02 RESOLUTION CALLING A PUBLIC HEARING FOR NOVEMBER 4, 2002 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED WEST OF TRIAD DRIVE AND NORTH OF I-40 -- 20.549 ACRES

WHEREAS, the owners of all the hereinafter described property, which is non-contiguous to the City of Greensboro, have requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 et seq. of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 15th day of October, 2002, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED WEST OF TRIAD DRIVE AND NORTH OF I-40 – 20.549 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the northern right-of-way line of Triad Drive and the eastern line of Cleo H. Holt, as recorded in Deed Book 4102, Page 2169 in the Office of the Register of Deeds of Guilford County; thence proceeding along said right-of-way line N 85° 09' W 130.67 feet to a point; thence continuing along said right-of-way line with a curve to the left with radius of 60 feet S 64° 16' 50" W a chord distance of 61.02 feet and arc distance of 64.02 feet to a point; thence with a curve to the left with radius of 511.42 feet N 78° 23' 50" W a chord distance of 36.43 feet and arc distance of 36.44 feet to a point; thence N 80° 26' 20" W 488.78 feet to a point; thence with a curve to the left with radius of 1,825.84 feet N 82° 54' 30" W a chord distance of 157.26 feet and arc distance of 157.32 feet to a point; thence N 85° 22' 30" W 17.45 feet to the northeast corner of KWK Land Corp.; thence N 81° 48' 40" W 492.38 feet along KWK's northern line to the northwest corner of KWK; thence S 5° 44' 20" E 122.58 feet along KWK's western line to a point in the northern right-of-way line of Interstate 40; thence N 67° 23' 40" W 1,167.82 feet along said right-of-way line to the southeast corner of Donald B. Efird; thence N 1° 58' 40" E 379.04 feet along Efird's eastern line to Efird's northeast corner; thence S 83° 52' E 340.79 feet along the southern line of Plez Avery Transou to Transou's southeast corner; thence S 4° 01' 50" W 96.14 feet along the western line of Billy C. Hinson to Hinson's southwest corner; thence S 84° 24' 50" E 250.05 feet along Hinson's southern line to Hinson's southeast corner; thence N 4° 02' 10" E 239.84 feet along Hinson's eastern line to a point in the southern right-of-way line of Neville Road (NCSR 1913); thence with said right-of-way line S 84° 17' 10" E 181.41 feet to a point and S 84° 22' 10" E 181.32 feet to the northwest corner of Lot 3 of Roy L. Hendrix subdivision, as recorded at Plat Book 50, Page 41 in the Office of the Register of Deeds; thence S 4° 06' 30" W 241.46 feet along the western line of said Lot 3 to its southwest corner; thence S 84° 09' 30" E 181.42 feet along the southern line of said Lot 3 to its southeast corner; thence S 84° 15' 10" E 181.56 feet along the southern line of Lot 4 of said subdivision to its southeast corner; thence S 84° 19' 40" E 191.89 feet along the southern line of Edward W. Holmes to his southeast corner; thence N 0° 25' E 117.14 feet along Holmes' eastern line to a point in the southern right-of-way line of Farrington Road (NCSR 1849); thence with said right-of-way line S 85° 06' 50" E 50.15 feet to the northwest corner of Lot 1 of Farrington Acres subdivision, as recorded at Plat Book 117, Page 16 in the Office of the Register of Deeds; thence S 0° 25' W 610.18 feet along the western line of said Lot 1 to a point; thence S 85° 22' 30" E 22.21 feet to a point; thence with a curve to the right with radius of 1,885.84 feet S 82° 54' 30" E a chord distance of 162.44 feet and arc distance of 162.49 feet to a point; thence S 80° 26' 20" E 488.78 feet to a point; thence with a curve to the right with radius of 571.42 feet S 77° 17' E a chord distance of 62.88 feet and arc distance of 62.91 feet to a point; thence S 70° 05' 40" E 100.00 feet to a point; thence with a curve to the left with radius of 280 feet S 79° 37' 20" E a chord distance of 53.94 feet and arc distance of 54.03 feet to the point and place of BEGINNING, and containing 20.549 acres.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall

receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after January 31, 2003, the liability for municipal taxes for the 2002-2003 fiscal year shall be prorated on the basis of 5/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2003. Municipal ad valorem taxes for the 2003-2004 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after January 31, 2003.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That November 4, 2002 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than October 25, 2002.

(Signed) Donald R. Vaughan

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177-02 RESOLUTION CALLING A PUBLIC HEARING FOR NOVEMBER 4, 2002 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – LOCATED ON THE EAST SIDE OF PLEASANT RIDGE ROAD -- 17.0 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 et seq. of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 15th day of October, 2002, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON THE EAST SIDE OF PLEASANT RIDGE ROAD – 17.0 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at an existing iron pin in the eastern right-of-way line of Pleasant Ridge Road, being the southwest corner of H. Wallace and Phyllis Baird; thence proceeding along said right-of-way line N 06° 16' 22" E 529.12 feet to a point in the southern line of Pleasant Ridge Farms West, Phase 1, Section 1, as recorded in Plat Book 140, Pages 105 and 106, in the Office of the Register of Deeds of Guilford County; thence proceeding along the southern line of said subdivision S 85° 00' 00" E 1,300.65 feet to Baird's northeast corner; thence along Baird's eastern line S 15° 28' 00" E 564.73 feet to Baird's southeast corner; thence along Baird's southern line N 85° 00' 00" W 1,492.02 feet to the point and place of BEGINNING, and containing approximately 17.0 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per

acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after January 31, 2003, the liability for municipal taxes for the 2002-2003 fiscal year shall be prorated on the basis of 5/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2003. Municipal ad valorem taxes for the 2003-2004 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after January 31, 2003.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That November 4, 2002 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than October 25, 2002.

(Signed) Donald R. Vaughan

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178-02 RESOLUTION CALLING A PUBLIC HEARING FOR NOVEMBER 4, 2002 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – KNOWN AS PLEASANT RIDGE FARMS WEST SUBDIVISION AT PLEASANT RIDGE ROAD, HIGHLAND OAK DRIVE AND RIDGE HAVEN ROAD - - 72.87 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 et seq. of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 15th day of October, 2002, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (KNOWN AS PLEASANT RIDGE FARMS WEST SUBDIVISION AT PLEASANT RIDGE ROAD, HIGHLAND OAK DRIVE AND RIDGE HAVEN ROAD -- 72.87 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at an existing iron pipe in the eastern right-of-way line of Pleasant Ridge Road (NCSR 2133), being the northwest corner of H. Wallace Baird; thence proceeding along the former eastern right-of-way line the following bearings and distances: along a curve to the right having a radius of 733.02 feet, a chord bearing and distance of N 23° 38' 20" E 321.39 feet to a point and N 36° 18' 10" E 218.63 feet to a new iron pipe; thence with the south line of Pleasant Ridge Christian Church, as recorded in Plat Book 104, Page 117 in the

Office of the Register of Deeds of Guilford County, N 88° 02' 24" E 393.62 feet to an existing iron pipe; thence continuing with the southern line of Pleasant Ridge Christian Church and the Walter T. Meisner property as recorded in Deed Book 3650, Page 109 in the Office of the Register of Deeds N 72° 02' 20" E 466.30 feet to an existing iron pipe; thence with the boundary of the Anthony C. Barrett property as recorded in Deed Book 3537, Page 1523 in the Office of the Register of Deeds the following bearings and distances: S 09° 22' 35" E 163.88 feet to an existing iron pipe; S 22° 15' 29" E 188.75 feet to an existing iron pipe; and N 85° 23' 30" E 161.42 feet to an existing iron pipe; thence with the boundary of the Charles S. Young subdivision, as recorded in Plat Book 73, Page 159 in the Office of the Register of Deeds, S 84° 15' 30" E 299.01 feet to an existing iron pipe; thence a new line with the Alan W. Bowman property as recorded in Deed Book 3607, Page 569 in the Office of the Register of Deeds the following bearings and distances: S 15° 36' 59" E 345.00 feet to a new iron pipe and S 71° 34' 52" E 113.27 feet to a new iron pipe; thence a new line with the John K. Powers property as recorded in Deed Book 3607, Page 571 in the Office of the Register of Deeds the following bearings and distances: N 79° 29' 15" E 250.70 feet to a new iron pipe and N 04° 03' 00" E 709.12 feet to a new iron pipe; thence with the southern boundary of the Henry F. Tucker subdivision, as recorded in Plat Book 44, Page 77 and Plat Book 70, Page 120 in the Office of the Register of Deeds, the following bearings and distances: S 84° 20' 29" E 147.19 feet to an existing iron pipe; N 01° 47' 45" E 29.56 feet to an existing iron pipe on the western margin of Ridge Fall Road; thence S 87° 01' 41" E 60.07 feet to a new iron pipe on the eastern margin of said road; thence with said eastern margin N 02° 59' 20" E 60.00 feet to a new iron pipe; thence S 79° 57' 38" E 118.07 feet to a new iron pipe on the western boundary of Pleasant Ridge Farms, Section 1, as recorded in Plat Book 99, Page 142, in the Office of the Register of Deeds; thence with the western boundary of Pleasant Ridge Farms S 03° 42' 14" W 185.00 feet to an existing iron pipe and S 82° 33' 27" E 220.34 feet to an existing iron pipe; thence with the western boundary of Pleasant Ridge Farms, Section 2, Map 1, as recorded in Plat Book 102, Page 28 in the Office of the Register of Deeds and Pleasant Ridge Farms, Section 3, Map 1, as recorded in Plat Book 105, Page 52 in the Office of the Register of Deeds S 04° 26' 42" W 2,911.36 feet to a new iron pipe on the northern boundary of River Hills subdivision, as recorded in Plat Book 100, Page 33 in the Office of the Register of Deeds; thence with the northern boundary of River Hills S 89° 31' 46" W 544.93 feet to an existing iron pipe in the eastern line of Oak Bend subdivision, as recorded in Plat Book 99, Page 145 in the Office of the Register of Deeds; thence with the boundary of said subdivision the following bearings and distances: N 15° 17' 58" E 224.17 feet to an existing iron pipe and S 85° 35' 23" W 25.97 feet to an existing iron pipe in the eastern boundary of Ridge Haven subdivision, as recorded in Plat Book 65, Page 38 in the Office of the Register of Deeds; thence with the eastern boundary of said subdivision the following bearings and distances: N 04° 11' 55" E 602.17 feet to an existing iron pipe; N 49° 41' 33" W 149.25 feet to an existing iron pipe; N 40° 38' 00" W 227.98 feet to an existing iron pipe; N 74° 25' 27" W 29.82 feet to a new iron pipe on the eastern right-of-way of Ridge Haven Court; N 22° 14' 49" E 54.79 feet to a point; N 07° 35' 11" W 679.01 feet to an existing iron pipe; and N 12° 55' 16" W 36.84 feet to a new iron pipe on the western right-of-way of Ridge Haven Court; thence with the Doris Simpson subdivision, as recorded in Plat Book 67, Page 113 in the Office of the Register of Deeds, the following bearings and distances: N 21° 59' 59" E 55.23 feet to a new iron pipe and N 56° 05' 41" W 228.86 feet to an existing iron pipe; thence with the line of the L. C. Huffine Estate, as recorded in Plat Book 16, Page 2 in the Office of the Register of Deeds, the following bearings and distances: N 05° 31' 56" E 77.93 feet to an existing iron pipe and N 77° 29' 45" E 32.68 feet to an existing iron pipe; thence continuing with the L. C. Huffine Estate and the H. Wallace Baird property N 14° 50' 48" W 566.99 feet to an existing iron pipe on the northern line of Baird; thence with Baird's northern line N 84° 22' 48" W 1,311.07 feet to the point and place of BEGINNING, and containing approximately 72.87 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after January 31, 2003, the liability for municipal taxes for the 2002-2003 fiscal year shall be prorated on the basis of 5/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2003. Municipal ad valorem taxes for the 2003-2004 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after January 31, 2003.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That November 4, 2002 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than October 25, 2002.

(Signed) Donald R. Vaughan

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179-02 RESOLUTION CALLING A PUBLIC HEARING FOR NOVEMBER 4, 2002 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – KNOWN AS THORNEBLADE SUBDIVISION ON THE SOUTHWEST SIDE OF FLEMING ROAD AND SOUTH SIDE OF PLEASANT RIDGE ROAD -- 24.3 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 et seq. of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 15th day of October, 2002, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (KNOWN AS THORNEBLADE SUBDIVISION ON THE SOUTHWEST SIDE OF FLEMING ROAD AND SOUTH SIDE OF PLEASANT RIDGE ROAD – 24.3 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a new iron pipe at the northeastern corner of William H. and Ruth R. Wiley, as recorded in Deed Book 3828, Page 34 in the Office of the Register of Deeds of Guilford County, said point being on the southwestern right-of-way line of Fleming Road (NCSR 2136) and being on the Summerfield town limit line; thence N 73° 48' 05" E, crossing Fleming Road with said town limit line, approximately 60 feet to a point on the northeastern right-of-way line of Fleming Road; thence in a northwesterly direction along said town limit line approximately 320 feet to a point on the northern right-of-way line of Pleasant Ridge Road, said point also being on the Summerfield town limits; thence in a westerly direction along said town limit line approximately 550 feet to its intersection with the northward projection of the eastern property line of Jay C. and Martha H. Tuttle, as recorded in Deed Book 1709, Page 82 in the Office of the Register of Deeds; thence S 06° 15' 06" E, crossing Fleming Road, approximately 60 feet to a point on the southern right-of-way line of Pleasant Ridge Road; thence S 06° 15' 06" E 225.47 feet along Tuttle's eastern line to Tuttle's southeastern corner; thence S 82° 39' 09" W 118.98 feet along Tuttle's southern line to a new iron pipe on the eastern property line of Lowman W. and Sharon L. Ray, as recorded in Deed Book 3994, Page 1350 and Plat Book 72, Page 264 in the Office of the Register of Deeds; thence S 07° 37' 20" E 380.22 feet along Ray's eastern line to an existing axle marking the northeast corner of Pleasant Ridge Farms, Section 1, as recorded in Plat Book 99, Page 142 in the

Office of the Register of Deeds; thence S 07° 14' 32" E 827.13 feet along the eastern line of said Section 1 and the eastern line of Pleasant Ridge Farms, Section 2, as recorded in Plat Book 103, Page 81 in the Office of the Register of Deeds to an existing iron pipe at the northwest corner of Pleasant Ridge Farms East, as recorded in Plat Book 114, Page 5 in the Office of the Register of Deeds; thence with the northwestern line of Pleasant Ridge Farms East the following three courses: (1) N 56° 22' 46" E 145.51 feet to an existing iron pipe on the western right-of-way line of Pine Cove Road (2) N 56° 20' 45" E 55.85 feet to an existing iron pipe on the eastern right-of-way line of Pine Cove Road, (3) N 56° 22' 12" E 216.47 feet to a new iron pipe at the southwest corner of Jay C. and Martha H. Tuttle, as recorded in Deed Book 3284, Page 836 in the Office of the Register of Deeds; thence S 56° 57' 56" E 65.61 feet along Tuttle's southern line to an existing iron pipe; thence S 07° 16' 23" E 174.99 feet to an existing iron pipe, said pipe being a corner on the northern line of Stratford Green Townhomes, as recorded in Deed Book 3213, Page 222 in the Office of the Register of Deeds; thence N 60° 34' 14" E 583.57 feet along said northern line to an existing iron pipe; thence continuing N 60° 34' 14" E 35.84 feet along said northern line to a new iron pipe at the southwestern corner of Levis V. Oakes, Jr. as recorded in Deed Book 4244, Page 1068 in the Office of the Register of Deeds and the northwest corner of Robert A. and Gayle C. Tuttle, as recorded in Deed Book 2199, Page 830 in the Office of the Register of Deeds; thence along the southwestern line of said Oakes N 40° 33' 10" W 150.48 feet to a new iron pipe; thence N 60° 35' 50" E 267.78 feet along the northwestern line of said Oakes to an existing iron pipe on the southwestern right-of-way line of Fleming Road; thence continuing N 60° 35' 50" E approximately 60 feet, crossing Fleming Road, to a point on the Summerfield town limit line; thence in a northwesterly direction along said town limit line approximately 300 feet to its intersection with the eastward projection of the southern line of C. Alan and Kathy S. Clayton; thence S 73° 48' 05" W approximately 60 feet along said projection, crossing Fleming Road, to a new iron pipe at Clayton's southeast corner, as recorded in Deed Book 3631, Page 537 in the Office of the Register of Deeds; thence continuing along Clayton's southern line S 73° 48' 05" W 467.73 feet to Clayton's southwest corner; thence N 12° 16' 39" W 222.59 feet to an existing iron pipe at the southwest corner of the aforementioned Wiley; thence N 12° 21' 47" W 219.94 feet along Wiley's western line to an existing iron pipe; thence N 73° 48' 05" W 259.27 feet along Wiley's northern line to the point and place of BEGINNING, containing approximately 24.3 acres, and being all of Thornblade subdivision and abutting Fleming Road right-of-way and Pleasant Ridge Road right-of-way.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after January 31, 2003, the liability for municipal taxes for the 2002-2003 fiscal year shall be prorated on the basis of 5/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2003. Municipal ad valorem taxes for the 2003-2004 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after January 31, 2003.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That November 4, 2002 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than October

25, 2002.

(Signed) Donald R. Vaughan

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180-02 RESOLUTION CALLING A PUBLIC HEARING FOR NOVEMBER 4, 2002 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – KNOWN AS STRATFORD GREEN TOWNHOMES SUBDIVISION ON SOUTHWEST SIDE OF FLEMING ROAD -- 21.25 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 et seq. of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 15th day of October, 2002, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (KNOWN AS STRATFORD GREEN TOWNHOMES SUBDIVISION ON SOUTHWEST SIDE OF FLEMING ROAD -- 21.25 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at the northeastmost property corner of Robert A. and Gayle C. Tuttle tract, as recorded in Deed Book 2199, Page 830 in the Office of the Register of Deeds of Guilford County, said point being in the centerline of Fleming Road (NCSR 2136); thence N 57° 37' 43" E approximately 30 feet to a point on the northeastern right-of-way line of Fleming Road; thence in a southeasterly direction along said right-of-way line 238.3 feet to a point on the Summerfield town limits; thence in a southwesterly direction, crossing Fleming Road, approximately 60 feet to the intersection of the southwestern right-of-way line of Fleming Road and the western line of Porter D. and Dorothy P. Tuttle, as recorded in Deed Book 1735, Page 342 in the Office of the Register of Deeds; thence S 01° 19' 35" W 35.68 feet along Porter D. Tuttle's northwestern line to a point; thence S 50° 24' 09" W 165.55 feet to a new iron pipe; thence S 40° 00' 54" E 189.37 feet to an existing iron pipe; thence S 02° 20' 08" W 470.83 feet to an existing iron pipe; thence S 02° 38' 27" W 205.33 feet to an existing iron pipe; thence S 86° 27' 37" W 496.20 feet to an existing iron pipe; thence N 02° 15' 27" E 612.37 feet to an existing iron pipe; thence S 35° 56' 11" W 215.01 feet to an existing iron pipe; thence S 66° 12' 56" W 189.42 feet to an existing iron pipe; thence S 43° 04' 29" W 204.30 feet to an existing iron pipe; thence S 02° 20' 08" W 470.83 feet to an existing iron pipe; thence N 29° 27' 11" W 308.44 feet to an existing iron pipe; thence N 29° 22' 53" W 51.25 feet to an existing iron pipe; thence N 29° 25' 13" W 107.93 feet an existing iron pipe; thence N 29° 26' 15" W 152.21 feet a new iron pipe; thence N 60° 33' 15" E 249.88 feet to an existing iron pipe; thence N 60° 34' 14" E 583.57 feet to an existing iron pipe; thence S 36° 45' 51" E 189.43 feet to an existing iron pipe; thence N 57° 19' 56" E 307.21 feet to an existing iron pipe; thence N 57° 37' 43" E 29.09 feet to the point and place of BEGINNING, containing approximately 21.248 acres, and being all of Stratford Green Townhomes subdivision and abutting Fleming Road right-of-way.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after January 31, 2003, the liability for municipal taxes for the 2002-2003 fiscal year shall be prorated on the basis of 5/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2003. Municipal ad valorem taxes for the 2003-2004 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after January 31, 2003.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That November 4, 2002 at 6:00 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than October 25, 2002.

(Signed) Donald R. Vaughan

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02-195 ORDINANCE AMENDING THE FY 02-03 STATE, FEDERAL AND OTHER GRANTS PROJECT
BUDGET FOR THE GOVERNOR'S CRIME COMMISSION GRANT – VIOLENT CRIMES TASK FORCE

BE IT ORDAINED BY THE CITY COUNCIL OF GREENSBORO:

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal, and Other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3554-01.5520	Seminar/Training Expenses	\$ 1,000
220-3554-01.5429	Other Contracted Services	72,478
220-3554-01.5214	Office Equipment & Furniture	<u>1,750</u>
Total		\$75,228

And that this increase be financed by increasing the following State, Federal, and Other Grants Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3554-01.7110	State Grant	\$ 56,421
220-3554-01.7104	Federal Forfeiture Funds	<u>18,807</u>
Total		\$75,228

(Signed) Donald R. Vaughan

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A motion to approve minutes of regular meeting of 17 September 2002 was unanimously adopted.

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The Mayor announced that Boy Scout Troop #216 had been in attendance earlier in the meeting during a zoning case and thanked them for attending the meeting.

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Paul Fitch, residing at 440 East Fourth Street in Winston-Salem, North Carolina, spoke to his firm's role in consultation with the Aycock neighborhood on War Memorial Stadium renovation plans. He spoke to past accomplishments of his firm, Landmark; stated he was willing to assist the City and the Aycock neighborhood with any redevelopment efforts; advised that Landmark was experienced with development of infill sites and historic structure restoration; and offered to meet with City staff and the Aycock neighborhood.

Ann Stringfield, residing at 1005 North Eugene Street, stated she was in favor of the Landmark Company's recent offer to redevelop the property the County planned to swap with a different entity. Ms. Stringfield spoke to details of this counter-proposal. She shared her opinion, that the Landmark proposal would benefit the Fisher Park neighborhood and downtown area. Ms. Stringfield strongly encouraged Council to consider this plan and to keep Lindsay Street open, contrary to the request of Guilford County and advised that she was aware the Landmark proposal had been presented to Guilford County Commissioners.

Councilmember Perkins stated that to his knowledge, financing was not in place for any major development activities in which the Landmark company had expressed interest and that because the City did not own the property, the City was not involved in the negotiations and agreements pertaining to the sale or exchange of this property. The Mayor advised that the Council had received a letter from Guilford County Commissioner, Chairman Barber, requesting the closing of Lindsay Street and clarified that this was the only matter Council would consider with respect to the site of the planned stadium.

Mr. Fitch discussed various funding ideas and sources the City might consider in the future with respect to War Memorial Stadium improvements; his opinions as to the best use of the Lindsay Street site, and the potential use of low income housing tax credit at this site. Council thanked Mr. Fitch for his interest in Greensboro.

Ben Andrews, residing at 400 Woodlawn Avenue, stated he represented Westerwood neighborhood residents, who opposed the planned downtown baseball stadium. He urged Council to consider citizens' opinions and Landmark's alternative proposal to revitalize the Lindsay Street property.

Bob Cone, residing at 606 Waycross Drive, stated that the City was being asked by Action Greensboro and Guilford County to close a portion of Lindsay Street to facilitate development of a new stadium on Bellemee Street. He expressed his personal preference for the Landmark proposal made to Guilford County for this property; requested that the City postpone the street closing decision for 60 days to obtain information from Landmark and Action Greensboro and evaluate which plan would be most successful; and expressed concern that the stadium would require public funding.

The City Manager advised that the City was not fiscally responsible for the private operation of the planned stadium and clarified the City's role in the proposed street closing. He noted that a report had been provided to Council regarding traffic engineering reviews of downtown including Fisher Park and Eugene Street traffic and parking capabilities in the area of the stadium. The Manager summarized the report, which concluded that the closing of Lindsay Street and location of a minor league baseball stadium at the planned site would not have significant negative impact in terms of traffic or parking in the area. The Manager stated that a memo from Andy Scott, Housing and Community Development Director, had been provided with respect to work with the Aycock neighborhood in terms of an overlay development plan for the neighborhood.

Mr. Westmoreland provided an overview of the "Proposed Closing of Lindsay Street (Between Edgeworth Street and Eugene Street) Traffic/ Parking Analysis Report". He stated that the findings of the study indicated the projected traffic impact of the stadium was found to be acceptable. (A copy of the report is filed in Exhibit Drawer N, Exhibit Number 42 and is hereby referred to and made a part of these minutes).

Council discussed the assignment of traffic volume values and traffic mitigation strategies identified in the

report. Several Council members expressed concern with respect to the perception that traffic volume increases assigned in the report were low. Mr. Westmoreland briefly explained the scientific basis for the estimates in the report. Councilmember Perkins suggested that improvement of the triangle of streets located at Smith Street, Battleground Avenue and Eugene Streets should be considered to facilitate better traffic flow and aesthetic appeal as the gateway to Fisher Park. The Manager advised that staff would follow up on this request.

Several Council members advised that they wished to see other traffic mitigation proposals in addition to those presented in the report. The City Manager requested specific suggestions from Council. Councilmember Phillips recommended considering use of barricades. The City Manager advised that transportation engineering staff would provide an opinion with respect to the potential for this traffic mitigation method and would review any other suggestions or concerns that might develop.

Councilmember Carmany expressed concern with respect to existing parking enforcement manpower and future demands that might occur in the neighborhoods surrounding the planned stadium.

The City Manager spoke to planned physical improvements and recreational uses for War Memorial Stadium. He explained how this would be cost effective and beneficial in terms of meeting needs of the community for sporting facilities with respect to needs identified in the Parks and Recreation Master Plan. Following additional discussion, the City Manager advised that he would provide Council with additional information with regard to daily traffic counts of vehicles entering into downtown Greensboro for their next briefing. He stated the traffic report would be on file in the City Clerk's Office and available on the City's web site.

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Councilmember Phillips advised that he would not be in attendance at the October 24th District 4 Special Meeting.

Councilmember Phillips placed the name of Eugene Johnston in the boards and commissions data bank for consideration of future service on the Airport Authority.

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Councilmember Gatten invited all citizens and especially those from District 4 to attend the upcoming District Four Special Meeting to share their views with Council. She provided an update on the Cultural Arts Center Task Force the Mayor had established to evaluate and establish rental policies for the Cultural Arts Center.

After announcing an upcoming public information meeting about Fleming Road and Horsepen Creek Road, Councilmember Gatten advised that this was a critical part of the 2000 bond transportation roadway project.

Councilmember Gatten shared a statement of an opinion regarding her support for public ownership rights of scenic corridors versus billboard company's private interests.

Councilmember Johnson left the meeting at 9:28 p.m.

Councilmember Burroughs-White moved that Cynthia Hatfield be appointed to serve a term on the Historic Preservation Commission; this term will expire 15 August 2005. The motion was seconded by Councilmember Vaughan and unanimously adopted by voice vote of Council, with Councilmember Johnson voting in absentia as provided for by law.

Councilmember Burroughs-White moved that Barbara Aiken be appointed to the Human Relations Commission to replace Diane Munden. After the Mayor stated he was uncertain as to the status of a vacancy in district 2, no action was taken. It appeared to be the consensus of Council to agree to confirm the vacancy status prior to approving this nomination.

Councilmember Carmany provided an update on Piedmont Authority for Regional Transportation (PART) activities. In response to an upcoming Federal Transit Bill that would impact the structuring of Greensboro and

surrounding Metropolitan Planning Organizations, she requested guidance of Council and that Council Transportation Advisory Committee (TAC) members and other available members attend the upcoming Piedmont Authority for Regional Transportation briefing on this subject. Mr. Westmoreland advised that a decision would be made by the end of the year.

Other PART functions Councilmember Carmany spoke to included development of rail regulation recommendations with public input and an upcoming meeting to determine future roadway options to access the airport. After advising that there was an offer for the City to partner with Koury Corporation and NCDOT to improve and beautify High Point Road, she asked the City Manager to involve staff in identification of potential matching funds. City Manager Kitchen stated that staff would follow up on this request.

Councilmember Carmany updated Council with information relative to her work on the Moldovan Sister City Committee and noted activities planned for various visitors coming from Moldova in the near future.

Councilmember Vaughan moved that Mildred Summers be appointed to serve a term on the Commission on the Status of Women in the position formerly held by Elaine Ernest; this term will expire 15 August 2005. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of Council, with Councilmember Johnson voting in absentia as provided for by law.

Council provided information with respect to various recent and upcoming community events and recognitions.

Council discussed their awareness that interchanges shown on the plans for the Urban Loop including Cone Boulevard, High Point Road, West Market Street and Lewiston Road, did not yet have funds designated for their construction. Councilmember Perkins requested that the City Manager and Council work with the Guilford County Legislative Delegation and North Carolina State Transportation Board to submit funding requests. They identified the Cone Boulevard interchange as a high priority in terms of economic development for Eastern Greensboro. Councilmember Burroughs-White expressed concern that the Cone Boulevard interchange could impact White Street Landfill solid waste disposal options.

Mayor Holliday stated that he planned to respond to a request he recently received from the Guilford County Commission Chairman Barber asking the City to eliminate building inspection fees. The Mayor advised that it was the consensus of Council not to eliminate these fees in the City. Noting that the Chairman was seeking ways to enhance economic development, Councilmember Perkins suggested exploring the possibility of creating a better link between City and County GIS systems to streamline the approval process for developers which would result in saving them time and money. The City Manager expressed his support for this suggestion and added that the Mayor might advise Commissioner Barber that streamlining the water and sewer approval process in the County for water and sewer services could be accomplished by revising the City-County Water and Sewer Agreement.

Mayor Holliday advised he would seek a response from Council to a letter from Chancellor Renick of North Carolina A&T State University in reference to a streetscape participation agreement.

At the request of the City Manager, Council agreed to schedule a budget work session for December 11, 2002 at noon in the Plaza Level Conference Room of the Melvin Municipal Office Building.

The City Manager requested Council to adjourn to Closed Session to discuss a real estate matter and a personnel matter.

Councilmember Vaughan moved that Council adjourn to Closed Session to discuss real estate and a personnel matter. The motion was seconded by Councilmember Burroughs-White and unanimously adopted by voice vote of Council.

CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 10:22 PM.

SUSAN E. CROTTS
DEPUTY CITY CLERK

KEITH A. HOLLIDAY
MAYOR
